

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Case No.: 14-75672-AST

Carman Development Corp.,

Chapter 11

Debtor
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**ORDER GRANTING DEBTORS' COUNSEL'S
FIRST INTERIM APPLICATION COMPENSATION**

Upon the amended application for compensation (the "Application") of Macco & Stern (the "Applicant"), the attorneys for Medford Development Corp. and its related entities (collectively, the "Debtors"),¹ the debtors and debtors-in-possession, for an order granting the Applicant's first interim request for compensation and reimbursement of fees; and the affidavit of service of the Application, on file with the Court; and additional service being neither necessary nor required; and upon the Objection of the Office of the United States' Trustee (the "UST") to the Application, dated June 26, 2015 (the "Objection"); and a hearing having been held on July 1, 2015 (the "Hearing"); and the Court having heard oral argument from the Applicant on the Application; and the Court having heard oral argument from the UST on the Objection; and the Court having heard the Applicant's position as to the request for compensation for the fees and expenses requested as to the ten (10) debtors previously engaged in franchise agreements with Cumberland Farms, Inc., and/or Gulf Oil Limited Partners (the

¹ The Debtors, with associated case numbers, are as follows: (1) Medford Development Corp.; (2) Motor Parkway Enterprises, Inc.; (3) Airport Development Corp.; (4) Wheeler Development LLC; (5) Smithtown Development Corp.; (6) Brentwood Development Corp.; (7) Holbrook Development Corp.; (8) Carman Development Corp.; (9) Maple Avenue Hauppauge Dev. Corp.; (10) Port Jefferson Development Corp.; (11) Ronkonkoma Development Corp.; (12) Islandia Development Corp.; (13) Oceanside Enterprises Corp.; (14) Islip Development Corp.; and (15) Westbury Enterprises Inc.

“Gulf Debtors”);² and the Court having heard the Applicant’s position as to the request for compensation for the fees and expenses requested as to the five (5) debtors not previously engaged in franchise agreements with Cumberland Farms, Inc., and/or Gulf Oil Limited Partners (the “Non-Gulf Debtors”);³ and the Court having granted the Application, in part, as to the Gulf Debtors by Order, dated July 17, 2015 [Docket No. 326]; and the Court having granted the Application, in part, as to the Non-Gulf Debtors by Order, dated July 17, 2015 [Docket No. 326]; and the Court having directed the Applicant, the UST, and the chapter 7 trustee (the “Chapter 7 Trustee”) of the Gulf Debtors, Maple Avenue Hauppauge Development Corp., and Port Jefferson Development Corp. to resolve the remaining objections to the Application; and the Applicant, the UST and the Chapter 7 Trustee having resolved all objections to the Application, as reflected on the spreadsheet annexed hereto as **Exhibit A**; and a status hearing having been held on September 16, 2015; a status hearing having been held on October 7, 2015; and a decision on the Applicant’s outstanding request for compensation of fees in the amount of \$16,437.68 (the “Remaining Fees”) having not been previously made; and good and sufficient cause appearing; and it is hereby

ORDERED, that the Application is granted; and it is further

ORDERED, that, as to the Applicant’s outstanding request for compensation of fees as to Carman Avenue Development Corp., the Applicant’s fees, in the amount of \$13,150.14, reflecting eighty (80%) percent of the Remaining Fees, are approved; and it is further

² The Gulf Debtors are as follows: (1) Medford Development Corp.; (2) Oceanside Development Corp.; (3) Islip Development Corp.; (4) Islandia Development Corp.; (5) Smithtown Development Corp.; (6) Westbury Enterprises, Inc.; (7) Ronkonkoma Development Corp.; (8) Brentwood Development Corp.; and (9) Airport Development Corp.; and (10) Wheeler Development LLC.

³ The Non-Gulf Debtors are as follows: (1) Motor Parkway Enterprises Inc.; (2) Holbrook Development Corp.; (3) Carman Development Corp.; (4) Maple Avenue Hauppauge Dev. Corp. and (5) Port Jefferson Development Corp.

ORDERED, that, as to the Applicant's outstanding request for compensation of fees as to Carman Avenue Development Corp., the Debtor shall pay the Applicant the amount of \$13,150.14, reflecting eighty (80%) percent of the Remaining Fees are approved; and it is further


ORDERED, that the balance of any fees requested by Applicant shall only be allowed and paid upon further order of this Court.

NO OBJECTIONS:

s/ Christine H. Black
Office of the United States Trustee

Dated: October 30, 2015
Central Islip, New York




Alan S. Trust
United States Bankruptcy Judge